
ENGROSSED SUBSTITUTE HOUSE BILL 2534

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Sheahan, Dellwo, Sterk, Cody, Hickel, Morris and Thompson)

Read first time 02/02/96.

1 AN ACT Relating to penalties for driving without a driver's
2 license; reenacting and amending RCW 46.20.021 and 46.63.020; and
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 46.20.021 and 1991 c 293 s 3 and 1991 c 73 s 1 are
6 each reenacted and amended to read as follows:

7 (1) No person, except as expressly exempted by this chapter, may
8 drive any motor vehicle upon a highway in this state unless the person
9 has a valid driver's license issued to Washington residents under the
10 provisions of this chapter. A violation of this subsection is a
11 misdemeanor and is a lesser included offense within the offenses
12 described in RCW 46.20.342(1) or 46.20.420. However, if a person in
13 violation of this section provides the citing officer with an expired
14 driver's license or other valid identifying documentation under RCW
15 46.20.035 at the time of the stop and is not in violation of RCW
16 46.20.342(1) or 46.20.420, the violation of this section is an
17 infraction and is subject to a penalty of two hundred fifty dollars.
18 If the person appears in person before the court or submits by mail

1 written proof that he or she obtained a valid license after being
2 cited, the court shall reduce the penalty to fifty dollars.

3 (2) For the purposes of obtaining a valid driver's license, a
4 resident is a person who manifests an intent to live or be located in
5 this state on more than a temporary or transient basis. Evidence of
6 residency includes but is not limited to:

7 (a) Becoming a registered voter in this state; or

8 (b) Receiving benefits under one of the Washington public
9 assistance programs; or

10 (c) Declaring that he or she is a resident for the purpose of
11 obtaining a state license or tuition fees at resident rates.

12 (3) The term "Washington public assistance programs" referred to in
13 subsection (2)(b) of this section includes only public assistance
14 programs for which more than fifty percent of the combined costs of
15 benefits and administration are paid from state funds. Programs which
16 are not included within the term "Washington public assistance
17 programs" pursuant to the above criteria include, but are not limited
18 to the food stamp program under the federal food stamp act of 1964;
19 programs under the child nutrition act of 1966, 42 U.S.C. Secs. 1771
20 through 1788; and aid to families with dependent children, 42 U.S.C.
21 Secs. 601 through 606.

22 (4) No person shall receive a driver's license unless and until he
23 or she surrenders to the department all valid driver's licenses in his
24 or her possession issued to him or her by any other jurisdiction. The
25 department shall establish a procedure to invalidate the surrendered
26 photograph license and return it to the person. The invalidated
27 license, along with the valid temporary Washington driver's license
28 provided for in RCW 46.20.055(3), shall be accepted as proper
29 identification. The department shall notify the issuing department
30 that the licensee is now licensed in a new jurisdiction. No person
31 shall be permitted to have more than one valid driver's license at any
32 time.

33 (5) New Washington residents are allowed thirty days from the date
34 they become residents as defined in this section to procure a valid
35 Washington driver's license.

36 (6) Any person licensed as a driver under this chapter may exercise
37 the privilege thereby granted upon all streets and highways in this
38 state and shall not be required to obtain any other license to exercise

1 such privilege by any county, municipal or local board, or body having
2 authority to adopt local police regulations.

3 **Sec. 2.** RCW 46.63.020 and 1995 1st sp.s. c 16 s 1, 1995 c 332 s
4 16, and 1995 c 256 s 25 are each reenacted and amended to read as
5 follows:

6 Failure to perform any act required or the performance of any act
7 prohibited by this title or an equivalent administrative regulation or
8 local law, ordinance, regulation, or resolution relating to traffic
9 including parking, standing, stopping, and pedestrian offenses, is
10 designated as a traffic infraction and may not be classified as a
11 criminal offense, except for an offense contained in the following
12 provisions of this title or a violation of an equivalent administrative
13 regulation or local law, ordinance, regulation, or resolution:

14 (1) RCW 46.09.120(2) relating to the operation of a nonhighway
15 vehicle while under the influence of intoxicating liquor or a
16 controlled substance;

17 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;

18 (3) RCW 46.10.090(2) relating to the operation of a snowmobile
19 while under the influence of intoxicating liquor or narcotics or
20 habit-forming drugs or in a manner endangering the person of another;

21 (4) RCW 46.10.130 relating to the operation of snowmobiles;

22 (5) Chapter 46.12 RCW relating to certificates of ownership and
23 registration and markings indicating that a vehicle has been destroyed
24 or declared a total loss;

25 (6) RCW 46.16.010 relating to initial registration of motor
26 vehicles;

27 (7) RCW 46.16.011 relating to permitting unauthorized persons to
28 drive;

29 (8) RCW 46.16.160 relating to vehicle trip permits;

30 (9) RCW 46.16.381 (6) or (9) relating to unauthorized use or
31 acquisition of a special placard or license plate for disabled persons'
32 parking;

33 (10) RCW 46.20.021 relating to driving without a valid driver's
34 license, unless the person cited for the violation provided the citing
35 officer with an expired driver's license or other valid identifying
36 documentation under RCW 46.20.035 at the time of the stop and was not
37 in violation of RCW 46.20.342(1) or 46.20.420, in which case the
38 violation is an infraction;

1 (11) RCW 46.20.336 relating to the unlawful possession and use of
2 a driver's license;

3 (12) RCW 46.20.342 relating to driving with a suspended or revoked
4 license or status;

5 (13) RCW 46.20.410 relating to the violation of restrictions of an
6 occupational driver's license;

7 (14) RCW 46.20.420 relating to the operation of a motor vehicle
8 with a suspended or revoked license;

9 (15) RCW 46.20.750 relating to assisting another person to start a
10 vehicle equipped with an ignition interlock device;

11 (16) RCW 46.25.170 relating to commercial driver's licenses;

12 (17) Chapter 46.29 RCW relating to financial responsibility;

13 (18) RCW 46.30.040 relating to providing false evidence of
14 financial responsibility;

15 (19) RCW 46.37.435 relating to wrongful installation of
16 sunscreening material;

17 (20) RCW 46.44.180 relating to operation of mobile home pilot
18 vehicles;

19 (21) RCW 46.48.175 relating to the transportation of dangerous
20 articles;

21 (22) RCW 46.52.010 relating to duty on striking an unattended car
22 or other property;

23 (23) RCW 46.52.020 relating to duty in case of injury to or death
24 of a person or damage to an attended vehicle;

25 (24) RCW 46.52.090 relating to reports by repairmen, storagemen,
26 and appraisers;

27 (25) RCW 46.52.100 relating to driving under the influence of
28 liquor or drugs;

29 (26) RCW 46.52.130 relating to confidentiality of the driving
30 record to be furnished to an insurance company, an employer, and an
31 alcohol/drug assessment or treatment agency;

32 (27) RCW 46.55.020 relating to engaging in the activities of a
33 registered tow truck operator without a registration certificate;

34 (28) RCW 46.55.035 relating to prohibited practices by tow truck
35 operators;

36 (29) RCW 46.61.015 relating to obedience to police officers,
37 flagmen, or fire fighters;

38 (30) RCW 46.61.020 relating to refusal to give information to or
39 cooperate with an officer;

1 (31) RCW 46.61.022 relating to failure to stop and give
2 identification to an officer;

3 (32) RCW 46.61.024 relating to attempting to elude pursuing police
4 vehicles;

5 (33) RCW 46.61.500 relating to reckless driving;

6 (34) RCW 46.61.502 and 46.61.504 relating to persons under the
7 influence of intoxicating liquor or drugs;

8 (35) RCW (~~46.61.5055 (section 5, chapter 332 (Substitute Senate~~
9 ~~Bill No. 5141), Laws of 1995~~)) 46.61.503 relating to a person under
10 age twenty-one driving a motor vehicle after consuming alcohol;

11 (36) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

12 (37) RCW 46.61.522 relating to vehicular assault;

13 (38) RCW 46.61.525 relating to negligent driving;

14 (39) RCW 46.61.527(4) relating to reckless endangerment of roadway
15 workers;

16 (40) RCW 46.61.530 relating to racing of vehicles on highways;

17 (41) RCW 46.61.685 relating to leaving children in an unattended
18 vehicle with the motor running;

19 (42) RCW 46.64.010 relating to unlawful cancellation of or attempt
20 to cancel a traffic citation;

21 (43) RCW 46.64.048 relating to attempting, aiding, abetting,
22 coercing, and committing crimes;

23 (44) Chapter 46.65 RCW relating to habitual traffic offenders;

24 (45) Chapter 46.70 RCW relating to unfair motor vehicle business
25 practices, except where that chapter provides for the assessment of
26 monetary penalties of a civil nature;

27 (46) Chapter 46.72 RCW relating to the transportation of passengers
28 in for hire vehicles;

29 (47) Chapter 46.80 RCW relating to motor vehicle wreckers;

30 (48) Chapter 46.82 RCW relating to driver's training schools;

31 (49) RCW 46.87.260 relating to alteration or forgery of a cab card,
32 letter of authority, or other temporary authority issued under chapter
33 46.87 RCW;

34 (50) RCW 46.87.290 relating to operation of an unregistered or
35 unlicensed vehicle under chapter 46.87 RCW.

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